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FILED  
Clerk  
District Court

FEB 27 2024

for the Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE NORTHERN MARIANA ISLANDS**

9 **UNITED STATES OF**  
10 **AMERICA,**

11 Plaintiff,

12 vs.

13 **DAVID MATTHEW FRAHM,**

14 Defendant.

Criminal Case No. **CR 23-00026**

**SUPERSEDING**  
**INDICTMENT**

**Count One:** Attempted Sexual Exploitation of a Child  
18 U.S.C. §§ 2251(a) and (e)

**Count Two:** Possession of Child Pornography  
18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)

**Count Three:** Engaging in Illicit Sexual Conduct  
in Foreign Places  
18 U.S.C. §§ 2423(c) and (f)

17 THE GRAND JURY CHARGES THAT:

18 **Count One: Attempted Sexual Exploitation of a Child**

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20 In or about March 2019 in the District of the Northern Mariana Islands and elsewhere,  
21 defendant **DAVID MATTHEW FRAHM** did attempt to employ, use, persuade, induce, entice,  
22 and coerce a minor with the intent that the minor engage in sexually explicit conduct for the  
23 purpose of producing a visual depiction of such conduct, knowing or having reason to know that

1 such visual depiction will be transported or transmitted using a means or facility of interstate  
2 commerce, and that visual depiction would be produced or transported using materials that have  
3 been mailed, shipped, or transported in or affecting interstate commerce, including by computer,  
4 to wit, by attempting to take digital pictures of a minor using a toilet in the high school where  
5 defendant was employed, by using a mobile computer device that travelled in interstate  
6 commerce and was capable of connecting to the internet, in violation of Title 18, United States  
7 Code, Sections 2251(a) and (e).

8  
9 **Count Two: Possession of Child Pornography**

10 On or about March 27, 2019, in the District of the Northern Mariana Islands, defendant  
11 **DAVID MATTHEW FRAHM** knowingly possessed and accessed with intent to view material  
12 that contained an image of child pornography, as defined in Title 18, United States Code, Section  
13 2256(8)(A), that was mailed, or shipped or transported using any means or facility of interstate  
14 or foreign commerce and in or affecting interstate or foreign commerce by any means, including  
15 by computer, to wit, by knowingly possessing a computer file that depicts a minor child engaged  
16 in sexually explicit conduct, as that term is defined in Title 18, United States Code, Section  
17 2256(2)(A)(v), said image having been created in Ukraine and distributed via the internet, in  
18 violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2).

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**Count Three: Engaging in Illicit Sexual Conduct in Foreign Places**


On or about February 1, 2024, defendant **DAVID MATTHEW FRAHM** was a citizen of the United States of America who was residing in Malaysia, a foreign country, who engaged in illicit sexual conduct with another person, to wit, by producing child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), by producing a visual depiction by video of sexually explicit conduct that involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2)(A)(v), in violation of Title 18, United States Code, Sections 2423(c) and (f).

A TRUE BILL, SUBMITTED THIS 27<sup>th</sup> DAY OF FEBRUARY 2024.

Signature of foreperson has been  
**REDACTED** pursuant to the Privacy Policy of the  
Judicial Conference of the United States.

SHAWN N. ANDERSON  
United States Attorney

By:

  
ERIC S. O'MALLEY  
Assistant United States Attorney